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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09 878,466	06 11 2001	Alain Martin		2685

7590 01 24 2003
Craig M. Bell
1794 Jennings Way
Paoli, PA 19301

EXAMINER

SAUNDERS, DAVID A

ART UNIT PAPER NUMBER

1644

DATE MAILED: 01 24 2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 1644

The reply filed on 11/5/02 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant's response to the restriction requirement has elected group I. The election of species requirement stated on pages 3-4 of the previous office action stated that if Group I was elected, applicant would be required to elect one species of the anti-cancer agents recited in claim 6. Likewise, the previous office action stated that if Group I was elected, applicant would be required to elect one species of the secondary immunostimulator agents of claim 4. Applicant has traversed these election of species requirements by admitting that these anticancer agents and these immunostimulators are obvious variants of one another. Nevertheless the statement of the election of species requirements clearly stated that "Applicant is required under 35 U.S.C. 121 to elect a single disclosed species, even though this requirement is traversed." See page 3, lines 16-17 and page 4, lines 5-6. An election of species is required, in each case, in order to give the examiner one search area and/or term with which to start the search for the embodiments of claims 4 and 6.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David A Saunders, PhD whose telephone number is 703-308-3976. The examiner can normally be reached on Mon.-Fri. from 8:00 to 5:30. The examiner can also be reached on alternate Fridays.

Application Control Number: 09 878.466

Page 3

Art Unit: 1644

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Chan, can be reached on (703) 308-3973. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0196.

DAS 1 24 03

David A. Saunders
DAVID SAUNDERS
PRIMARY EXAMINER
ART UNIT 182 *1644*